

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)

Public Safety and Homeland Security Bureau) PS Docket No. 11-60
Seeks Comment on 9-1-1 Resiliency and)
Reliability in the Wake of June 29, 2012,)
Derecho Storm in Central, Mid-Atlantic, and)
Northeastern United States)

REPLY COMMENTS OF METROPCS COMMUNICATIONS, INC.

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MetroPCS Communications, Inc. (“MetroPCS”),¹ by its attorneys, hereby respectfully replies to the comments submitted in response to the *Public Notice* issued by the Federal Communications Commission (the “FCC” or “Commission”) in the above-captioned proceeding.² In reply, the following is respectfully shown:

I. INTRODUCTION AND SUMMARY

The comments filed in response to the *Public Notice* demonstrate the serious efforts that telecommunications carriers have taken, and are still taking, to harden their networks and to reduce the duration of outages caused by extraordinary events such as the derecho storm that hit the central, mid-Atlantic and northeastern United States. Although telecommunications carriers generally do not experience outages when weather events occur, some commenters have seized upon this extraordinary event to resurrect calls for broad government mandates that have

¹ For the purpose of these reply comments, the term “MetroPCS” refers collectively to MetroPCS Communications, Inc., and all of its FCC-license holding subsidiaries.

² *In the Matter of Public Safety and Homeland Security Bureau Seeks Comment on 9-1-1 Resiliency and Reliability in the Wake of June 29, 2012, Derecho Storm in Central, Mid-Atlantic, and Northeastern United States*, PS Docket No. 11-60, Public Notice (rel. July 18, 2012).

previously been rejected. For example, the Association of Public-Safety Communications Officials-International (“APCO”) and the California Public Utilities Commission (“CPUC”) suggest that the Commission should resurrect the previously discredited approach of requiring a certain amount of back-up power for communications infrastructure or requiring mandatory equipment testing.³ Similarly, the National Association of State Utility Consumer Advocates (“NASUCA”) asks the Commission to establish performance standards to assure that back-up power is supplied to the communications infrastructure for a certain period of time.⁴

As is set forth in detail below, the Commission should resist overreacting to the derecho storm and decline to answer the calls for inflexible regulatory mandates. The record of this proceeding confirms that carriers have deployed, and have powerful competitive incentives to continue to build, resilient systems that deliver reliable communications services, particularly in times of emergency. Uniform government mandates, even if well-intentioned, are ill-suited to address the diverse circumstances that can cause outages. As a consequence, it is not clear that back-up power rules would eliminate future outages.⁵ Government mandates also risk having adverse competitive consequences that could actually hinder the public. For example, overly broad back-up power requirements could inhibit the development and proliferation of beneficial distributed antenna system (“DAS”) networks and small cell technology, which the Commission properly has recognized as important pro-consumer technologies.

³ APCO Comments at 5; CPUC Comments at 2.

⁴ NASUCA Comments at 3.

⁵ Carriers routinely install back-up power for their critical infrastructure. The issue often is not the absence of back-up power is designed to last, but rather whether other critical components of the network are operable. After the derecho, commercial power was interrupted for an extended period of time because trees fell on power lines. In many cases, the telecommunications backhaul facilities were on these same poles and were also knocked down. No amount of back-up power can restore a network when a backhaul facility is knocked out.

II. MARKET FORCES ARE WORKING TO CAUSE CARRIERS TO ADDRESS POTENTIAL OUTAGES

It is appropriate for the Commission to seek comment in the aftermath of the derecho to ascertain the causes of the service disruptions and the steps that carriers had taken and were taking to address and prevent future outages. However, the Commission must be careful not to overreact to what was indeed an extraordinary weather event. In this regard, the Commission should take a lesson from the aftermath of Hurricane Katrina. The unfortunate devastation from Hurricane Katrina led the Commission to adopt what proved to be unduly burdensome, unlawful and probably ineffective back-up power requirements.⁶ The Commission should learn from this prior experience and take a more deliberative view in this case.

Properly viewed, the comments filed in response to the *Public Notice* establish that competitive market forces are serving to incent carriers to avoid, reduce and promptly address service outages. As a result, it is unnecessary for the Commission to impose across-the-board mandates. In this regard, MetroPCS endorses the comments of CTIA – The Wireless Association (“CTIA”) that commercial mobile radio service (“CMRS”) carriers “understand that resiliency and reliability are extremely important to their customers and society. [. . . T]here is no incentive that the Commission could give that would be greater than the carriers’ existing

⁶ *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, Notice of Proposed Rulemaking (rel. June 19, 2006); *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-199, WC Docket No. 06-63, Order on Reconsideration (rel. Oct. 4, 2007); Notice of Office of Management and Budget Action (Nov. 28, 2008) available at <http://www.reginfo.gov/public/do/DownloadNOA?requestID=212660>; *CTIA – Wireless Ass’n v. FCC*, 530 F.3d 984 (D.C. Cir. 2008). Because back-up power is only one element of the telecommunications network, mandated back-up power may do nothing more than keep equipment running, without any connection to the PSTN or emergency centers, since a significant amount of backhaul is channeled through above-ground facilities that may be damaged beyond commercial power loss.

incentive to protect their significant network investments and to provide robust service to their customers.”⁷ As the Telecommunications Industry Association (“TIA”) similarly observes, “[n]etwork operators [. . .] are already furiously working to make sure networks are as resilient and reliable as possible, and have incentive to do so in order to remain competitive in the market.”⁸

As further evidence of this point, MetroPCS can make note of its own voluntary efforts to fortify its network against outages. MetroPCS provides service throughout southern Florida, which is prone to hurricanes. Driven by market forces, competition and a desire to provide reliable service to its customers, MetroPCS has taken a series of steps to improve the resiliency of its networks despite the absence of any regulatory requirement to do so. For example, MetroPCS has battery back-up power at each site. Each back-up power capability is established after considering several factors including the number of channels deployed at the site, the type of equipment used, and the site’s traffic load. MetroPCS also has back-up generators at selected sites and has entered into contracts for portable back-up generators that are deployed during outage-causing events. Further, MetroPCS has located its switching equipment in areas that are less prone to flooding.

The comments in this proceeding further illustrate the market-driven efforts of other carriers to prepare for and respond to the recent storms. After the June 29, 2012 derecho, T-Mobile was able to quickly restore service to numerous sites because of the preemptive, voluntary steps it took “to prepare for emergency situations and ensure the continuity of service

⁷ CTIA Comments at 7; *see also* T-Mobile, USA (“T-Mobile”) Comments at 8.

⁸ TIA Comments at 6.

during disasters.”⁹ Similarly, AT&T had a preexisting disaster response program, including equipment and infrastructure, that allowed it to “respond quickly” to the unexpected storm.¹⁰ To the extent that the derecho exposed vulnerabilities in some carriers’ networks, those carriers voluntarily and immediately undertook efforts to remedy the issues and make their networks stronger and better-prepared for future disasters.¹¹

Further evidence that competitive incentives are working can be found in reports of carriers’ success in weathering Hurricane Isaac during the week of August 26, 2012. C-Spire Wireless reported that its service was not significantly impaired because its nine cell sites that lost commercial power continued operating on back-up power.¹² And, despite significant power outages, Verizon said that its “generators are working well and with the cell site overlap, network coverage is very strong.”¹³

The important point to emphasize about these outcomes is that they were achieved *without* a Government imposed back-up power requirement. These preventative and remedial efforts were motivated by the carriers’ desires to provide reliable service to the public and to remain competitive in the communications marketplace, not to comply with a government mandate. As carriers’ precautionary and remedial efforts to fortify their networks against service outages indicate, it is unnecessary for the Commission to enact a back-up power mandate because market forces are sufficient to drive carriers to avoid and address outages. In deciding

⁹ T-Mobile Comments at 9.

¹⁰ AT&T Comments at 6-9.

¹¹ Verizon and Verizon Wireless (“Verizon”) Comments at 2-7; Frontier Communications Corp. (“Frontier”) Comments at 6-7.

¹² John Hendel, “Isaac Storms Gulf Coast States, Telecom Impact Unclear,” *Communications Daily*, August 30, 2012.

¹³ *Id.*

to rely upon the market, the Commission can take comfort in the fact that, even if a carrier's call site is down, the customer can still access any compatible network operated by another carrier to place E911 calls. This ensures that if one carrier's call site is down, customers generally will have one or more other carriers which could complete E911 calls.

III. ONE-SIZE-FITS-ALL MANDATES ARE NOT WELL-SUITED TO ADDRESS POTENTIAL OUTAGES

The Commission should resist any temptation to adopt across-the-board regulatory requirements to address the highly unusual occurrence of the storms that struck the eastern and central U.S. in June of 2012. Countless people had never heard the term "derecho" prior to the recent incident, and most had never experienced one. It would be a mistake to adopt broad, universally-applied mandates to address, after-the-fact, so unusual an event. The simple truth is that one-size-fits-all mandates are not well-suited or flexible enough given the extremely diverse and unpredictable events that may damage network infrastructure or cause network outages. Additionally, back-up power is not a cure all because outages are frequently caused by things other than a loss of commercial power. Further, such mandates would deter innovation and competition in carriers' unique networks. Today, carriers have incentives to experiment and innovate in operating their facilities. For example, MetroPCS has pioneered alternative backup power through fuel cells – which if the Commission had mandated a different solution, MetroPCS would not be able to use.

The Commission must take into consideration that different regions face different levels and types of risk. The southeastern and Gulf Coast portion of the U.S. is more susceptible to hurricanes. The Midwest is more likely to experience tornados, ice storms and blizzards. The west coast is subject to more earthquakes, fires and mudslides. Some cities may be prime targets

of terrorist attacks. Diverse threats of this nature do not lend themselves to a unitary solution.¹⁴ Rather, carriers should be given flexibility to determine the best ways to prepare their varied networks to withstand different outage-causing events. Thus, MetroPCS agrees with CTIA's observation that "the unique circumstances of a particular disaster will drive the wireless industry's response to it. Wireless carriers need the flexibility to engage in real-time coordination and respond quickly and appropriately to the situation as it occurs."¹⁵ Outages caused by different types of events require varied preventative and remedial responses, so a one-size-fits-all mandate is inappropriate.

Not all service outages are caused by a lack of power, so carriers should have the flexibility to combat specific network weaknesses that are more likely to cause outages when different disasters strike. Specifically, wireless service may be lost if there is damage to towers, antennas or other equipment, if there is a loss of backhaul capabilities or if there is flooding, looting or other problems. During the derecho, for example, "the overwhelming number" of Verizon's wireless cell sites that went out of service were equipped with back-up power, but they were nonetheless affected by problems with backhaul links.¹⁶ These scenarios illustrate that a one-size-fits-all back-up power mandate is uncalled for and would not remedy many of the types of events that cause network outages. MetroPCS also agrees with AT&T's view that "[a] regulatory mandate for on-site back-up facilities would eliminate a carrier's ability to conduct such an assessment and to determine, based upon actual results, the most effective way to restore all sites. Permanent on-site generators are often unnecessary in light of the state of local

¹⁴ Further, unitary solutions may create weaknesses. If all carriers deploy the same solution, and the event is not neutralized by that solution, then all carriers would be disrupted.

¹⁵ CTIA Comments at 11.

¹⁶ Verizon Comments at 16.

infrastructure, network density, and other factors.”¹⁷ Further, depending on the type of site, back-up power may not be available. For example, on many rooftop installations, back-up generators are not allowed by the building code and the weight of batteries may be too great for the structure.

Carriers also need the flexibility to determine the best ways to strengthen their varied networks because back-up power might not always be either the highest priority or the most effective precaution. Different parts of a carrier’s network may be better suited to one type of outage fortification than another. Requiring all parts of a network to have back-up power, while excluding all other measures, inefficiently displaces potentially more effective preventative measures and may crowd out funding for other solutions. T-Mobile elaborates that “in some cases, carriers may decide that backup power is warranted. In other cases, wireless carriers may choose to deploy additional cell sites that provide overlapping coverage so that, if one site is knocked out of service, adjacent sites can be used to provide service to much or all of the area served by the inoperable site.”¹⁸ T-Mobile further explains that “wireless carrier resources are not unlimited. Investments must be balanced carefully, and backup power regulatory requirements will skew investment. For example, a carrier that planned on investing in new cell sites to expand coverage or improve capacity may be forced to forgo such deployment in order to satisfy regulatory mandates regarding backup power.”¹⁹

Verizon’s outages during the derecho poignantly illustrate the inability of back-up power rules to assure communications during a disaster. Despite having back-up generators at two

¹⁷ AT&T Comments at 10.

¹⁸ T-Mobile Comments at 10.

¹⁹ *Id.*

locations that lost power, Verizon's service still went down because those generators failed to function properly, notwithstanding routine maintenance.²⁰ Thus, even if the Commission had earlier put in place a sweeping back-up power requirement, there would have been no change in the result. This example demonstrates that prophylactic measures, however well-intentioned, often fail in exigent circumstances. Back-up power is not a cure all, and such a one-size-fits-all mandate is not well-suited to address potential outages.

IV. THE COMMISSION SHOULD AVOID MANDATES THAT WILL INHIBIT COMPETITION

MetroPCS favors voluntary, market-driven industry solutions to promote network resiliency and service reliability for all industry members rather than command and control regulatory policies. If the Commission nevertheless imposes mandatory back-up power requirements, then it should exempt all but the nationwide CMRS carriers because a robust back-up power mandate on non-nationwide carriers would place a disproportionate burden on them, harm wireless competition and is unnecessary. Such a mandate would impose significant costs on all carriers, but the largest nationwide CMRS carriers are able to spread those costs over very broad customer bases. In contrast, non-nationwide CMRS carriers like MetroPCS have comparatively smaller customer bases, and the per-customer cost of complying with a back-up power requirement would be significantly higher. This disproportionate burden would have the unintended consequence of fostering diminished, rather than more robust, wireless service. Notably, the approach recommended by MetroPCS will not prevent customers of the non-nationwide carriers from accessing E-911. The Commission's rules already require all handsets

²⁰ Verizon Comments at 16.

to be able to use any compatible network. Because the nationwide carriers use the same technology as non-nationwide carriers, all customers will always have access to E-911.

MetroPCS also advocates limiting regulation to nationwide carriers because competitive necessity will prove to be an adequate incentive for smaller carriers to establish reliable networks if and when the larger carriers comply with any newly imposed back-up power requirements. The nationwide carriers will undoubtedly publicize the steps they have taken to prevent and reduce service disruptions and outages and will likely cite such efforts as a reason for customers to change carriers. Then, non-nationwide CMRS carriers will be under competitive pressure to adopt similar measures. Thus, the Commission can get the perceived benefit of the mandate across the industry while limiting its direct applicability to the carriers who can best afford the costs of compliance. This limited mandate will also reduce the Commission's burden of monitoring compliance with such a rule. In light of the emphasis that has been placed by both the President and this Commission on using a strict cost/benefit analysis before imposing regulations, particularly on smaller businesses,²¹ only a narrowly tailored requirement should be considered if the calls for self-regulation are not heeded.

²¹ President Barack Obama issued an Executive Order on July 11, 2011 which called on federal agencies, inter alia, to use the "least burdensome tools for achieving regulatory ends," by conducting both quantitative and qualitative cost-benefit analyses. Exec. Order No. 13579, 76 FR 41587 (Jul. 14, 2011), available at <http://www.gpo.gov/fdsys/pkg/FR-2011-07-14/pdf/2011-17953.pdf>; See also News Release, Statement from FCC Chairman Julius Genachowski on the Executive order on Regulatory Reform and Independent Agencies (Jul. 11, 2011), http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-308340A1.pdf.

V. THE COMMISSION SHOULD AVOID BURDENSOME BACK-UP POWER MANDATE THAT WOULD INHIBIT THE DEVELOPMENT OF DAS NETWORKS AND SMALL CELL TECHNOLOGIES

As MetroPCS and PCIA pointed out the last time the Commission considered back-up power requirements,²² imposing an overly broad back-up power mandate would have the unintended result of discouraging the proliferation and use of DAS networks and small cell technologies, both of which are necessary in the current spectrum-starved environment. First, the costs of complying with burdensome reporting requirements and inflexible back-up power requirements will consume vast resources that would be better deployed elsewhere. Second, and more importantly, a robust back-up power mandate that is applied to DAS sites or small cell technologies will severely hinder CMRS carriers' use of these network options, either because back-up power cannot be installed at the non-traditional site locations used for these deployments or because compliance would be prohibitively expensive.

If the Commission requires CMRS carriers to report on the status of every site and network component that is covered by a potential rule, such a strict mandate would place a severe burden on CMRS carriers by imposing reporting requirements that consume vast resources to compile and submit. The sheer number of sites that would fall under the purview of an across-the-board mandate virtually assures that any such reporting requirement would impose a severe burden on carriers, particularly smaller carriers. The onerous impact of such a reporting

²² *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, WC Docket No. 06-63, Petition of MetroPCS Communications, Inc. for Clarification and Reconsideration, p. 13 (Aug. 10, 2007); *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, WC Docket No. 06-63, Petition of PCIA – The Wireless Infrastructure Association for Reconsideration, p. 6 (Aug. 10, 2007).

requirement is the reason why the Office of Management and Budget (“OMB”) disapproved the Commission’s 2007 back-up power rule.²³ The OMB found that the Commission had not “demonstrated the practical utility of the information collect[ion . . . ,] the expected volume of submitted reports [. . . , or that] a reasonable effort has been made to reduce . . . the burden placed on respondents due to a lack of sufficient clari[t]y on how respondents are to satisfy compliance.”²⁴ In that proceeding, informed commenters estimated that each report would generate hundreds of thousands, if not millions of pages.²⁵ MetroPCS estimated that it would take between 2.75 and 3 hours for each of its then 3,397 sites to comply with the Commission’s reporting requirement.²⁶ The Commission should learn a lesson from the prior finding that its effort to impose a back-up power requirement resulted in an unduly burdensome and unlawful regulation, and it should avoid going down that path again.

It does not serve the public interest for the Government to impose rigid back-up power requirements on any CMRS systems. The pernicious effects would be particularly severe with respect to DAS networks and other types of small cell technologies. The Commission’s laudable goal of fostering the growth and development of broadband networks will be severely adversely impacted if the Commission takes actions that actively discourage the use of small cell technologies, which have been expressly sanctioned by the Commission to ease growing spectrum constraints and provide better wireless service to consumers.

²³ Notice of Office of Management and Budget Action (Nov. 28, 2008) *available at* <http://www.reginfo.gov/public/do/DownloadNOA?requestID=212660>.

²⁴ *Id.*

²⁵ *In the Matter of Comments on the Proposed Collection of Information Regarding Emergency Back-up Power for Communications Assets as Set Forth in the Commission’s Rules* (47 C.F.R. 12.2), 73 Fed. Reg. 52354, Comments of MetroPCS Communications, Inc., p. 5 (Oct. 9, 2008).

²⁶ *Id.* at 20.

DAS equipment that is capable of providing enhanced wireless service frequently is installed at non-traditional sites such as utility and light poles, light fixtures, flag poles and other miscellaneous non-tower structures. These non-traditional sites typically are subject to much stricter space limits, load limits, permitting requirements and aesthetic restrictions than are traditional sites. As MetroPCS and PCIA have previously pointed out, in many instances, it simply would not be possible to deploy back-up power at these locations.²⁷ MetroPCS also agrees with AT&T's concern that applying a back-up power mandate to DAS "would increase the visual impact of DAS deployments, undermining one of the primary benefits of DAS, reducing the opportunities for future DAS deployments."²⁸ CTIA also correctly recognizes that the challenge of installing back-up power sources "will become progressively more complex as the wireless industry evolves toward the increased deployment of small cell technologies where it is less clear how back-up power would be implemented."²⁹ Where it is possible to deploy back-up power, MetroPCS would be required to incur costs in the tens of millions of dollars, making such a rule unduly burdensome.³⁰

²⁷ *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, WC Docket No. 06-63, Petition of MetroPCS Communications, Inc. for Clarification and Reconsideration, p. 13 (Aug. 10, 2007); *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, WC Docket No. 06-63, Petition of PCIA – The Wireless Infrastructure Association for Reconsideration, p. 6 (Aug. 10, 2007).

²⁸ AT&T Comments at 11.

²⁹ CTIA Comments at 12.

³⁰ *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, WC Docket No. 06-63, Petition of MetroPCS Communications, Inc. for Clarification and Reconsideration, p. 12 (Aug. 10, 2007).

The Commission reasoned in its 2007 *Order on Reconsideration* that CMRS providers should not be “excused from having emergency backup power solely because they have *chosen* to place their assets at locations with limited weight or space capacities.”³¹ If, however, the Commission attempts to re-impose back-up power requirements, it must conclude that its prior reasoning has lost all force due to changed circumstances. The Commission has subsequently encouraged providers to place their assets in these limited locations. For example, the Commission recognized the benefits that DAS and small cell technologies provide when it held two forums at its headquarters that focused on promoting their use. One workshop, held on February 1, 2012, was geared toward convincing “municipal leaders, hospital and campus administrators, building owners, and transit authorities” of DAS and small cell technologies’ abilities to “augment mobile broadband and wireless services in cities and communities.”³² The Commission said that “DAS and small cell technologies can provide benefits and economic opportunities by expanding mobile broadband, wireless data coverage, and aiding first responders inside buildings” if the technologies can be deployed “in both outdoor and indoor public spaces, including hospitals, campuses, buildings, business and historical districts, and transit systems.”³³ The Commission held another forum on October 28, 2011 on indoor deployments of small cell sites. The *Public Notice* touted that small cell technologies “provide wireless coverage and capacity in limited or confined areas” and are “potentially useful solutions

³¹ *In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, EB Docket No. 06-119, WC Docket No. 06-63, Order on Reconsideration (rel. Oct. 4, 2007) (emphasis added).

³² Wireless Telecommunications Bureau Announces Workshop Agenda: Augmenting Mobile Broadband in Your Community an Overview of Distributed Antenna Systems and Small Cell Solutions, DA 12-97, Public Notice (Jan. 27, 2012).

³³ *Id.*

to addressing the exploding demand for spectrum that is being driven by the exponential growth in wireless data services.”³⁴

These affirmative statements indicate that the Commission favors DAS and small cell technologies *because* they can be deployed in limited and confined areas. It is exactly these limited and confined areas, however, that make back-up power requirements unduly burdensome to implement at these particular deployments because batteries and other forms of back-up power cannot physically be accommodated or are prohibitively expensive to install there. Because providing backup power to these locations is unduly burdensome, MetroPCS and other carriers could be forced to discontinue service to comply with a potential rule, or risk being subject to fines and forfeitures for failing to comply. This outcome illustrates a regulatory disconnect at the Commission regarding emergency services; back-up power rules are intended to make 9-1-1 services more reliable, but if the rules cause DAS and small cell technologies to be discontinued, then they can no longer aid “first responders inside buildings” where wireless service may be unreliable.

Further, given the current spectrum shortage and the voracious appetite of consumers for data services, DAS and small cell sites are essential to increasing capacity and promoting penetration. Given that for the foreseeable future the mobile industry will be operating without adequate spectrum, a back-up power mandate that causes carriers to start degrading DAS and small cells will lead to further industry consolidation. In order to encourage the continued use of DAS and small cell technologies, the Commission should not impose overly broad back-up

³⁴ FCC Spectrum Task Force Announces Agenda for Indoor Small Cell Forum, DA 11-1773, Public Notice (Oct. 24, 2011).

power mandates that unduly burden their beneficial use, nor should back-up power mandates unduly burden CMRS carriers through a reporting requirement or in any other way.

IV. CONCLUSION

The foregoing premises having been duly considered, MetroPCS respectfully submits that the record of this proceeding does not provide a basis for the Commission to impose new resiliency or reliability standards in the wake of the recent derecho storm.

Respectfully submitted,

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